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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,635	11/18/2003	Vladimir Nikolaevich Samofalov	P03,0239	4328

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SCHIFF HARDIN, LLP  
PATENT DEPARTMENT  
6600 SEARS TOWER  
CHICAGO, IL 60606-6473

EXAMINER
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BLOUIN, MARK S

ART UNIT	PAPER NUMBER
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2627

MAIL DATE	DELIVERY MODE
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01/24/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/715,635

Applicant(s)

SAMOFALOV ET AL.

Examiner

Mark Blouin

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-11, 13-15, 17, 19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) 6, 12, 16, 18 and 20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10, 11, 13-15, 17, 19 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

## **Detailed Action**

### ***Response to Amendment***

- The reply filed on November 13, 2007 was applied to the following effect: Claim 1 was cancelled, and Claims 2,5,7,9,10,13,15,17,19, and 21 are amended.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2-5 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue (JP 04-167207 A). –

3. Regarding Claims 2-5 and 7-9, Inoue (Figs. 1 and 2) discloses a high gradient stray field magnetic field generator comprising: a magnetic flux circuit with a yoke (2, 2) and a gap (6) in said yoke (2, 2) that produces a magnetic field (magnetic field produced via coil winding (4) when energized); and an even number of permanent magnets (7a) disposed in said gap (6) (eight such magnets depicted in FIG. 1), forming at least one magnet pair (4 pairs depicted in FIG. 1 of Inoue), with the respective magnetizations (North-to-South magnetic pole orientations) of the permanent magnets (7a and 7a within each pair) in each magnet pair oriented oppositely to each other (e.g., see FIG. 1, wherein the topmost magnet (7a) is oriented with a North-to-South pole magnetization of (N-S) along the medium travel, and the adjacent magnet in direct contact therewith and just below, is oriented with a South-to-North pole magnetization of (S-N) along the medium travel), with substantially no separation between the permanent magnets (7a, 7a) in

each pair, said permanent magnets (7a) producing a stray field that adds to said magnetic field (of the coil). That is, the some of the "magnetic flux generated in the gap at the time of recording or reproducing is bent perpendicularly by the same polarity repelling on the surfaces of the gap 6 to become a strong magnetic field of a perpendicular component." This repulsion polarity clearly implies that the flux is additive in order to force the recording flux in a normal perpendicular fringing effect at the transducing gap.

***Allowable Subject Matter***

4. Claims 10,11, 13-15,17,19, and 21 are allowed.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Bill Korzuch, can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Mark Blouin  
Patent Examiner  
Art Unit 2627  
January 9, 2008

A handwritten signature in black ink, appearing to read 'Mark Blouin', with a long horizontal flourish extending to the right.